

BACKGROUND INFORMATION REQUESTS FOR JUDICIAL CANDIDATES FOR THE SUPREME COURT OF MISSOURI

Please answer the following inquiries and provide all relevant documentation. You may attach addenda and/or enclose documents. The information under the “Personal” section will be kept confidential out of respect for you and your family. All other aspects of this application will be public material. Please sign the release and waiver that accompanies these requests.

Personal

1. Full name
2. Residential address and phone number
3. Present principal occupation
4. Office address, phone number, and fax number
5. E-mail address
6. Date and place of birth
7. Childhood home
8. Are you married? If yes, what is the full name of your spouse and date of marriage?
9. Have you been divorced? If yes, what is the full name(s) of former spouse(s) and date(s) of marriage?
10. Do you have children? What are their full names and ages?

Constitutional Qualifications and General Background

11. How many years have you been a citizen of the United States?
12. What high school did you attend?
13. Did you receive any academic or scholarly awards, such as a National Merit Scholarship, in high school?
14. How long have you been a Missouri resident? In what other states have you lived?
15. How many years have you been a qualified voter of Missouri? Have you been a registered voter in other states? Did your voter registration lapse at any time?
16. Are you currently licensed to practice law in Missouri?
17. On what date were you admitted to the Missouri Bar?

18. Did you pass the bar exam on your first attempt?
19. In what other state, courts, or agencies are you licensed as an attorney?
20. Have you applied for reciprocal admission to the bar of any state without taking the bar examination? Have you been refused such admission?
21. Has your bar license in any state ever lapsed or been suspended for any reason?
22. Do you suffer from any health condition that would impair your ability to do legal research, attend oral arguments, communicate clearly and effectively (both orally and in writing), or to expeditiously decide issues coming before the court? If yes, please explain.
23. Did you hold any elective or appointive public office or position before becoming a judge? If so, please provide details and list a reference for that service.
24. Do you now hold any elective or appointive public office or position? If so, please provide details and list a reference for that service.
25. Have you served in the military? Have you registered for civil service or been subject to the draft? If discharged from the military, state the type of discharge received. If military service continues, please provide details.
26. What groups or non work-related organizations have you joined, including non-profits, community groups, religious, secular or other organizations? Please list dates of service and offices held and describe each organization's mission and purpose.
27. Have you served on any boards of directors or other governing entities, advisory or otherwise, for non-profits or for-profit organizations? Please list dates of service and offices held and describe each organization's mission and purpose.
28. Did you prepare any reports, memoranda or policy statements for any of the organizations of which you were a member or in which you participated?
"Participation" includes but is not limited to, membership in any working group of any association, committee or conference which produced a report, memorandum or policy statement even where you did not contribute to it. Please provide a copy of these materials. If you are unable to produce a copy, please give the name and address of the organization that issued the material, the date it was issued and a summary of its subject matter.
29. Did any of these organizations currently or formerly discriminate on the basis of race, sex or religion - either through formal membership requirements or the practical implication of membership policies? If so, did you take action to change these policies or practices?
30. Have you ever been a defendant to a lawsuit? If yes, please submit the complaint, your answer and any other relevant documents from that lawsuit. Also, please list the

following for each suit: the facts surrounding the suit; the resolution of the suit and/or awards from the suit; and your attorney's name and phone number.

31. Have you ever been a plaintiff to a lawsuit? If yes, please submit the complaint, your answer and any other relevant documents. Also, please list the following for each suit: the facts surrounding the suit; the resolution of the suit and/or awards from the suit; and your attorney's name and phone number.
32. Have you ever been a target of or named in a criminal proceeding or been otherwise personally involved in a criminal proceeding? If yes, please submit any relevant documents. Also, please list the following: the facts surrounding the proceeding; the resolution of the proceeding; and your attorney's name and phone number.
33. Have you filed and paid all federal, state, and local taxes on time and without penalty?
34. Have you ever been deposed? Please explain the reason for this.
35. Have you ever been called to jury duty? Did you serve?
36. Have you completed an I-9 form and the accompanying background check?
37. Have you or your family ever employed an illegal immigrant or a company that employed illegal immigrants?
38. Have you or your family ever worked for companies or been affiliated with organizations (non-profit or other) that employ or provide services to illegal immigrants?
39. Have you ever given an interview to a newspaper, magazine or other publication, or radio or television stations? If so, please provide the dates of these interviews and a copy of the clips or transcripts.
40. Have you prepared or participated in the production of any reports, memoranda, or policy statements in connection with any public office you have held? If so, please provide a copy of these materials.
41. Are you willing to relocate to the Jefferson City area to serve on the Missouri Supreme Court?

Post-secondary Education

42. What post-secondary schools or colleges (other than law school) have you attended? Please list the dates you attended, degrees awarded, and transcripts for all post-secondary schools attended.
43. Did you attend any post-secondary school from which you did not graduate? If yes, why?
44. Did you graduate with honors from any of your post-secondary schools?

45. What was your class rank and grade point average in each post-secondary school you attended or graduated?
46. Were you ever disciplined for any reason by any school or university?
47. Have you taught in any post-secondary school? If yes, please list the school at which you taught, the courses you taught, and a contact name for each instance.
48. Did you serve in the Peace Corps, Americorps, or any similar post-graduate service? If yes, please provide dates of service and location.

Law School and Legal Education

49. What law school or schools did you attend? Please provide transcripts from each law school you attended.
50. Did you receive any honors during law school for individual courses (e.g. Am. Jur awards) or for overall performance during law school?
51. Did you publish material during law school (e.g. law review notes or comments, essays, newspaper articles, etc.)? If yes, please provide a copy of the publication(s)?
52. Did you have a law school course or area of study that you particularly enjoyed or specialized in during law school?
53. Were you ever placed on academic probation or a similar status at any law school? If yes, explain. If no, were you ever required to leave any law school for academic or other reasons? If yes, explain.
54. Were you ever disciplined for any reason by a law school you attended?
55. Have you ever plagiarized, even accidentally? Have you ever been accused of plagiarizing in any academic setting?
56. Have you taught in any law school? If yes, please list the school at which you taught, the courses you taught, and a contact name for each instance.
57. Have you ever taught continuing legal education courses? If yes, please list. Also, do transcripts, written speech notes, or audio/video recordings of the CLE course exist? Please submit copies of these.
58. Have you ever given lectures to organized groups, legal or otherwise, on topics of legal concern? If yes, please list and provide transcripts, written speech notes, and/or recordings of the lecture.

Private Legal Practice

59. While a law student, did you work for a private law firm, legal clinic or in any law-related position? Please list any and all experience including unpaid internships. For work or internships, please include a contact name if possible.
60. Did you serve as a judicial clerk? If yes, please provide the name and phone number for the judge for whom you clerked.
61. How many years were you in private practice?
62. What kind of legal work did you do in private practice?
63. Have you appeared in court frequently, occasionally, or not at all? If the frequency of your appearances varied, describe such variance, providing dates.

Please indicate the percentage of these appearances in:

- Federal courts;
- States courts of record;
- Other courts.

Please indicate the percentage of these appearances in:

- Civil proceedings;
- Criminal proceedings.

Please indicate the percentage of these trials that were:

- Jury;
- Non-jury.

64. How many cases had you tried before you became a judge? Please list the ten cases that you tried of which you are most proud of your work. Please list a contact name for someone associated with each case.
65. Please list all firms, corporations, partnerships, and/or governmental bodies with which you have been associated.
66. Please list all bar associations and professional societies of which you are a member. Include any offices held and dates of your membership.
67. While in private practice, did you publish or author any professional articles or books? If yes, please provide copies.
68. Have you ever worked as an appellate attorney, including both direct legal representation and/or the submission of amicus briefs for any organization? If yes, please list all appellate cases on which you worked. If you submitted amicus briefs for an organization, please provide details (e.g. name of organization, stated purpose of organization, specific cases, and a contact name and phone number at the organization) and a copy of any and all amicus briefs you filed for those organizations.

69. Did you receive any special recognition or award of a professional nature while in private practice? If yes, please list.
70. Did you do pro-bono work? If yes, please provide details.
71. Have you ever been sued for malpractice? If yes, to what result?
72. Have you ever been disciplined by the Missouri Bar or any other professional organization for any reason? If yes, please provide details.
73. Have you ever been held in contempt of court? If yes, please provide details.
74. Have you completed the Missouri Bar's continuing legal education requirements on time each year you were a member of the Missouri Bar?

Judicial

75. How many trials did you conduct as a trial judge? Please list the cases by name and citation.
76. How many cases have you heard as an appellate judge? Please list the cases by name and citation.
77. How many opinions have you authored as an appellate judge? Please list the cases by name and citation.
78. How many dissenting opinions have you filed as an appellate judge? Please list the cases by name and citation?
79. How many times have decisions made as a trial judge been appealed to your Court of Appeals for *en banc* review?
80. How many times have decisions made as a trial judge been affirmed by your Court of Appeals after *en banc* review?
81. How many times have decisions made as a trial judge been reversed by your Court of Appeals after *en banc* review? Please list these cases.
82. How many times have decisions you authored been appealed to the Missouri Supreme Court? Please list the cases.
83. How many times have decisions you authored been affirmed by the Missouri Supreme Court? Please list the cases.
84. How many times have they been reversed by the Missouri Supreme Court? Please list the cases.

85. Do you have any cases that you have heard or authored that are pending for review before the Missouri Supreme Court? Please list the cases.
86. Have you had reason to excuse one of the legal counsels in any case before you due to conflicts of interest in his or her representation before the court, including but not limited to the Attorney General?
87. Have you ever held an attorney in contempt of court? If yes, how many times. Have any of these lawyers been fined or jailed?
88. Have you ever had cases on the “ninety day” list? If yes, what was the maximum number of cases?
89. Have you ever stopped receiving case assignments for any reason? If yes, please explain.
90. What are the names and contact numbers of every presiding or chief judge under which you have served?
91. Can you please identify a Missouri Supreme Court decision the reasoning of which you find exceptional? Why?
92. Can you please identify a United States Supreme Court decision the reasoning of which you find exceptional? Why?
93. Can you please identify a Missouri Supreme Court decision the reasoning of which you find flawed? Why?
94. Do you favor cameras in courtrooms? Explain.

Evaluations/Disciplinary/Ethics

95. Have you been reviewed by your peers at any level of your practice? If yes, please provide copies of any and all reviews.
96. Have you been evaluated by any bar association including, but not limited to, evaluations for judicial retention? If yes, please provide copies of those evaluations.
97. Were you the subject of retention votes? If yes, please provide copies of those vote results.
98. During any retention election, did you produce literature or send out letters in support of your candidacy? If yes, please submit copies.
99. During any retention election, did you make expenditures on your own behalf? If yes, please submit records of these expenditures.
100. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or judicial commission, or by any bar association or committee thereof? If yes, provide details.

101. Have you ever had to recuse yourself from a case? If yes, please list the cases and provide reasons for the recusal.
102. If you served on the Missouri Supreme Court, are there any areas of law on which you would have to permanently recuse yourself?
103. Do you or your immediate family members have any financial holdings that could be the grounds for recusal?
104. Are you or have you ever been a registered lobbyist in Missouri, any other state, or before the federal government?
105. Have you ever testified before any legislative body, including local government, for any reason. Please provide details.
106. Have you ever filed a personal disclosure form with the Missouri Ethics Commission? If yes, please provide copies.
107. Have you ever filed a personal disclosure form as a member of the judiciary in the State of Missouri? If yes, please provide copies.
108. Do you anticipate any receipts from deferred income arrangements, stock options, uncompleted contracts or other future benefits derived from previous business relationships, professional services, firm memberships, former employers, clients or customers? If so, list all sources, amounts and dates of such future income.
109. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your services with the court? If so, please explain.
110. Has anyone involved in the process of selecting you as a judicial nominee ever discussed with you any specific case, legal issue or questions in a manner that could be reasonably interpreted as seeking any express or implied assurances concerning your position on such a case, issue or question? If so, please explain fully.
111. Did you make any representations to any individuals or interest group as to how you might rule as a Judge of the Missouri Supreme Court if selected?

I, _____, hereby certify that all of my statements made above are correct to the best of my knowledge. I also certify that I, with only clerical assistance, am the author of all answers to all inquiries above.

Date: _____

Applicant signature: _____

RELEASE AND WAIVER

I, (name) _____, born at (city, state) _____
_____, on (date) _____, and currently residing at (address)
_____, having applied for a governmental
appointment, hereby voluntarily consent to the potential disclosure to the public of all information collected in
the course of conducting background investigations by the Office of the Governor with regard to appointment as
judge to the Missouri Supreme Court. The disclosure will not include any personal financial, credit, or medical
records in the possession of the Office of the Governor and collected during the background investigation.

I, along with my spouse (name) _____, hereby release, discharge, and
exonerate the Office of the Governor and the State of Missouri, their agents and representatives, and any person
so furnishing information from any and all liability of every nature and kind arising out of the furnishing or
inspection of such documents, records, and other information or any investigation or report made by the above
persons or entities. A copy of this release shall have the same effect as the original.

This authorization shall remain in full force and effect until the Office of the Governor is notified in
writing that this release has been revoked by the undersigned individual.

(Signature)

(Date)

(Social Security Number)

(Signature of Spouse)

(Date)